

Authority: 540
File Name: 5401a1 DR-CD 12

IDCA DELEGATION OF AUTHORITY NO. 1

There follows below the text of this IDCA Delegation of Authority no. 1, initially published in the Federal Register of October 5, 1979 (44 F.R. 57521 and 57522).

..Amended effective October 31, 1980, per publication in the Federal Register of November 7, 1980 (45 F.R. 74090).

..Amended effective May 7, 1982, per publication in the Federal Register of May 20, 1982 (47 F.R. 21931).

[Delegation of Authority No. 1]

International Development-Cooperation Agency; Foreign Economic Assistance

By virtue of the authority vested in me by the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 et seq.) (hereinafter referred to as the Act), title IV of the International Development Cooperation Act of 1979 (22 U.S.C. 3501 et seq.). Executive Order No. 12163 of September 29, 1979 entitled "Administration of Foreign Assistance and Related Functions" (hereinafter referred to as the Executive Order), and Reorganization Plan No. 2 of 1979 (44 FR 41165), it is ordered as follows:

1-1. Concurrent Authority

1-101. Notwithstanding any provision of this Delegation of Authority, the Director of the United States International Development Cooperation Agency (hereinafter referred to as IDCA) may at any time exercise any function delegated by this Delegation of Authority.

1-2. Continuation of the Agency For International Development

1-201. The Agency for International Development (hereinafter referred to as AID, which was established in the Department of State pursuant to State Department Delegation of Authority No. 104, as amended, shall be continued in existence within IDCA headed by an Administrator (hereinafter referred to as the Administrator), as provided in sections 103(a) and 103(b) of the Executive Order. All delegations of authority, determinations, authorizations, regulations, rulings, certificates, orders, directives, contracts, agreements, designations, and other actions made, issued or entered

into under authority existing prior to the date of the Executive Order and not revoked, superseded, or otherwise made inapplicable before the effective date of this Delegation of Authority shall continue in full force and effect until amended, modified or terminated by appropriate authority.

1-202. The officers provided for in section 1-103(c) of the Executive Order shall continue to exercise such functions as the Administrator deems appropriate.

1-3. Functions of the Administrator

1-301. Exclusive of the functions otherwise delegated, or reserved to the Director of IDCA herein, there are hereby delegated to the Administrator:

(a) The functions conferred upon the Director of IDCA by subsections 1-102(a) (1)-(4) and section 1-601 of the Executive Order.

(b) The functions and authorities contained in sections 125(a), 601(a) through (d), and 601(e)(2) of the Act conferred upon the Director of IDCA by Section 6 or Reorganization Plan No. 2 of 1979.

1-4. Functions of the Director of the Institute for Scientific and Technological Cooperation

1-401. Exclusive of the functions otherwise delegated, or reserved to the Director of IDCA herein, there are hereby delegated to the Director of the Institute for Scientific and Technological Cooperations (hereinafter referred to as the Institute) the functions conferred upon the Director of IDCA by subsection 1-102(a)(5) of the Executive Order.

1-5. Functions Delegated to the Administrator and to the Director of the Institute

1-501. There are hereby delegated to the Administrator and to the Director of the Institute, respectively, the functions that relate to the administration of the program of AID and the Institute, respectively, as follows:

(a) The functions under sections 297(d), 299(a) and 625(a) of the Act.

(b) The functions under section 625(d)(1) of the Act, as provided in section 1-602(a) of the Executive Order.

(c) The functions conferred upon the Director of IDCA by section 4 of Executive Order 11223, as amended.

(d) The functions conferred upon the Director of IDCA by the Determination of the President pursuant to section 604(a) of the Act, dated October 18, 1961, as amended.

(e) The functions of negotiating, concluding, and terminating international agreements pursuant to the Act, Title IV of the International Development Cooperation Act of 1979, or the Latin American Development Act, shall be subject to the requirements of 1 U.S.C. 112b and to applicable regulations and procedures.

1-6. Functions Delegated to the Overseas Private Investment Corporation

1-601. Exclusive of the functions otherwise delegated, or reserved to the Director of IDCA herein, there are hereby delegated to the Overseas Private Investment Corporation:

(a) The functions under sections 621(b), 625(d)(1), 627, 628, 629(b), 630 and 635(d) of the Act insofar as such functions relate to the operations of the Overseas Private Investment Corporation, its activities, or personnel.

(b) The functions under section 237(a) of the Act, provided that such functions shall be exercised in consultation with the Director of IDCA.

1-7. Functions Delegated to the Director, Defense Security Assistance Agency, Department of Defense.

1-701. Exclusive of the functions otherwise delegated, or reserved to the Director of IDCA herein, there is hereby delegated to the Director, or in his absence, the Deputy Director, Defense Security Assistance Agency, Department of Defense, authority to waive the provisions of Section 636(i) of the Act as they apply to procurement under programs administered under the Act by the Department of Defense.

1-8. Allocation of Funds

1-801. There are hereby allocated to the Administrator all funds made available for carrying out the Act allocated to the Director of IDCA by section 1-801(a) of the Executive Order.

1-802. There are hereby allocated to the Director of the Institute all funds made available for carrying out title IV of the International Development Cooperation Act of 1979, allocated to the Director of IDCA by section 1-801(a) of the Executive Order.

1-9. Functions Reserved to the Director of IDCA

1-901. There are hereby reserved to the Director of IDCA the functions conferred upon the President by:

(a) Sections 102(c), 120(b), 125(b), 209(c)-(d), 298(c)(6), 298(d), 300,

305, 493, 621A, 631(c) and 634B of the Act.

(b) Section 625(a) of the Act, with respect to personnel in IDCA, other than as delegated in section 1-5 of this delegation.

(c) Sections 403(e) and 411 of the International Development Cooperation Act of 1979.

1-902. The functions contained in sections 109, 632(a) (insofar as they relate to allocation or transfer of funds) and 653 of the Act delegated herein shall be exercised in consultation with the Director of IDCA.

1-10 Personnel Authorities

1-1001. The authority of the Administrator and the Director under section 625(a) of the Act, with respect to personnel in AID and the Institute respectively, shall include any authority available to me under any statute, regulation, or delegation of authority, relating to any aspect of personnel authority or administration, including, but not limited to:

- (a) The Act;
- (b) The Foreign Service Act of 1980, Pub. L. 96-465, 94 Stat. 2071;
- (c) Title 5 of the United States Code; and
- (d) Delegations of Authority from the Office of Personnel Management.

1-11. General Provisions

1-1101. Any reference in this Delegation of Authority to any act, order, determination, or delegation of authority shall be deemed to be a reference to such act, order, determination, or delegation of authority as amended from time to time.

1-1102. Any reference in this Delegation of Authority to provisions of any appropriation act shall be deemed to include a reference to any hereafter enacted provisions of law which are the same or substantially the same as much appropriation act provisions.

1-1103. The Administrator and the Director of the Institute may, to the extent consistent with law:

- (a) Delegate or assign any of the functions delegated or assigned to them by this Delegation of Authority to any other officer of IDCA, including any component agency thereof, or to any officer of the Department of State; and
- (b) Authorize any officer to whom functions are so delegated or assigned to successively redelegate or reassign any of such functions.

1-1104. Functions conferred by this delegation shall be carried out in consultation with the heads of other departments and agencies as provided in Section 605 of the Executive Order.

1-12. Effective Date

1-1201. This delegation shall become effective as of October 1, 1979, except that delegations to the Director of the Institute contained herein shall not become effective until so ordered by the Director of IDCA.

Thomas Ehrlich,
Director, United States International Development Cooperation
Agency.

Dated: October 1, 1979.

[FR Doc. 79-30924 Filed 10-4-79; 8:45 am]

Billing Code 4710-02-M

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